



## Board Members

Dennis Bull, CCR

Stacey Folds, CCR

Carol Glazier, CCR

Cheryl Griffin, Esq.

Tina Harris, CCR

Judge Richard Kent

Anita Moore, CCR

Judge Maxine Cynthia Morris

Benjamin Perkins, Esq.

## Public Reprimands

**Gilbert & Jones, LLC,**  
a registered court reporting firm

**Pamela J. Ellis, CCR**

# Board Brief

**ISSUE 8**

**FALL 2012**

## Important Information

Please make note of the following Public Reprimands, Formal Advisory Opinion, and Public Advisory issued by the Board.

### Public Reprimand

The Board of Court Reporting of the Judicial Council of Georgia, pursuant to O.C.G.A. § 15-14-33(c)(2), after a hearing and consideration of all the evidence in accordance with the Rules and Regulations of the Board, hereby publicly reprimands Gilbert & Jones, Inc., a registered court reporting firm of Savannah, Georgia, for events that resulted in the filing of Formal Complaint 2011-27 by a certified court reporter.

In August 2011, a court reporting firm based in Florida contacted Gilbert & Jones to provide reporting services for a deposition, a job which Gilbert & Jones accepted. Gilbert & Jones assigned an employee, a Georgia certified court reporter, to handle the deposition. The court reporter took the deposition, compiled the transcript, and sent the completed transcript to Gilbert & Jones; Gilbert & Jones then stamped the court reporter's signature on the disclosure form and certification pages and sent the transcript and accompanying forms to the Florida court reporting firm.

Article 10.B. of the Rules and Regulations of the Board mandates that each court reporter taking a deposition shall provide a disclosure form to the parties prior to taking a deposition and that a copy of the disclosure form must be included in the transcript of the deposition.

Among other requirements, clause 5 of Article 10.B. requires a statement in the disclosure form stating that "the court reporter was

contacted by the office of (name the attorney/court reporting firm or party who called the court reporter) to provide court reporting services for this deposition." However, in this case as well as in other instances over several months, Gilbert & Jones specifically instructed its court reporter(s) to remove the part of the clause that would result in the naming of the Florida court reporting firm who contacted Gilbert & Jones for the deposition.

As a result, the Board found by clear and convincing evidence that Gilbert & Jones violated, and instructed court reporters in its employ to violate, Article 10.B. of the Board's Rules and Regulations by purposefully omitting required information from disclosure forms. The Board moreover found that Gilbert & Jones acted unprofessionally and unethically. The Board also cautioned against the practice of a court reporting firm using a signature stamp to sign transcripts on behalf of court reporters.

In mitigation, Gilbert & Jones had since begun disclosing all appropriate information on its disclosure forms and has had no prior disciplinary matters before the Board.

### Public Reprimand

The Board of Court Reporting of the Judicial Council of Georgia, pursuant to O.C.G.A. § 15-14-33(c)(2), after a hearing and consideration of all the evidence in accordance with the Rules and Regulations of the Board, hereby publically reprimands Pamela J. Ellis, C.C.R., of Valdosta, Georgia, for events that resulted in the filing of Formal Complaint 2010-12 with the Board by a defendant in a criminal trial taken down by Ms. Ellis.



## This Page:

- Public Reprimand cont'd
- New 2012 Advisory Opinion
- Public Notice

Ms. Ellis, as an official court reporter for the Superior Court of Lowndes County, took down the guilty plea and sentencing of the defendant. In Complaint 2010-12, the production of transcript was requested from Ms. Ellis in July 2009, but was not delivered to the defendant until August 2010. The defendant did not receive the transcript until after the filing of the Complaint with the Board and Ms. Ellis failed to initiate communication with the defendant about the delays.

The Board found Ms. Ellis' more than one year delay in the production of the requested transcript to be unreasonable under the facts presented. Taking into account the Motion for Voluntary Discipline presented to the Board by Ms. Ellis, the Board agreed that such an inordinate and unnecessary delay in completing a transcript is a departure from, and failure to conform to, minimal reasonable standards of acceptable and prevailing practices of court reporting in Georgia. The Board's concern is that failure to timely prepare transcripts is prejudicial to the parties in a case.

### Formal Advisory Opinion – 2012-01 Securing Court Reporters for Civil Proceedings.

The practice of securing reporters for civil proceedings varies by circuit and by county in Georgia.

However, one commonly used practice in the courts involves the official court reporter being present in, or available to, the court for all civil proceedings. In this situation, when a party schedules a civil proceeding before the judge, the judge typically informs the parties that the court's official reporter will be available. Thereafter, during the call of the calendar, the judge would then inquire of the parties if they want their case taken down, and if so, whether the parties wish to share in the take down costs amongst themselves. Nevertheless, another practice in the courts is for the parties to schedule and bring a court reporter to report the civil proceeding.

Given the varying practices used by the courts in securing court reporters for civil proceedings, it is advisable that official court reporters gain an understanding from their appointing judge, and that parties communicate with the judge presiding over their case, of the judge's practice for the use of court reporters for civil proceedings.

### Public Notice – Board of Court Reporting Granted Permanent Injunction against Ms. Yvonne Law

(Atlanta) The Superior Court of Bibb County granted the Board of Court Reporting of the Judicial Council of Georgia a Permanent Injunction against formerly certified court reporter, Ms. Yvonne Law, on July 1, 2011. This Injunction prohibits Ms. Yvonne Law from practicing as a court reporter across the State. Counterclaims filed by Ms. Yvonne Law against the Board of Court Reporting were dismissed by the court and have not been appealed.

Ms. Law was a certified, practicing court reporter beginning around July 14, 1983. She continued to engage in the practice of court reporting until April 1, 2008, in which she failed to renew her license. After proper notice of her lapsed certification and subsequent revocation of her court reporting license, Ms. Law continued to practice as a certified court reporter on numerous occasions. Her actions demonstrated an on-going disregard for the laws, rules, and regulations of the Board of Court Reporting. Additionally, her actions caused harm to the public in that any transcript taken down and certified by Ms. Law after April 1, 2008, is not a legally "certified" transcript.

Ms. Law filed a counterclaim against the Judicial Council of Georgia, the Administrative Office of the Courts, and Joe Doe seeking damages in the amount of \$1,000,000 based on the contention that she was deprived of her license (property) and that her "good name, reputation, honor, and integrity have been comprised such that she cannot operate her business or practice her profession." She further alleged that her "license could have been easily cured had the Board of Court Reporting notified her that the renewal was not received, and that the revocation of the Plaintiff's license based on a renewal belies common sense, was unjust, unfair and cruel."

The Board requested the Court to dismiss the counterclaim for various reasons, including lack of subject matter jurisdiction by way of Ms. Law failure to comply with the Georgia Tort Claims Act. The Court barred the counterclaim because of Ms. Law's failure to comply with the statutory requirement of the ante litem notice provision and the service of process provisions. The Court further barred



## This page:

- Public Notice cont'd
- Check out the Board's new website!

the counterclaim because of a required court order for the addition of the Administrative Office of the Courts or the Judicial Council of Georgia as new parties to the counterclaim, and because the State has not waived its sovereign immunity for Ms. Law's claims. Since the statute immunizes the State from any tort liability resulting from governmental actions involving licensure, the Court dismissed Ms. Law's counterclaim.

Despite Ms. Law's revoked status, she is not prohibited from practicing in juvenile courts so long as she does not certify any transcript in any proceeding as a Certified Court Reporter ("CCR"), use the abbreviations "CCR," or hold herself as a certified court reporter. Additionally, the court ordered Ms. Law to provide a copy of the Injunction Order to the Staff Judge Advocate of every military organization to which she intends to offer her services.

For more information about this case, please see Board of Court Reporting v. Yvonne Law, 11cv54646.

their contact information with the Board  
- New and updated links to other important websites; The Institute of Continuing Judicial Education, Administrative Office of the Courts, US Federal Courts, Georgia Certified Court Reporters Association, Georgia Short-hand Reporters Association, and more....

We are always looking for ways to improve our website and we welcome your comments and feedback. Please send any comments to [BCR@gaaoc.us](mailto:BCR@gaaoc.us).

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### NEW BCR Website

The Board of Court Reporting is pleased to announce that our redesigned website is now available online, <http://w2.georgiacourts.org/bcr/index.php>. Our new website design offers additional information in a more user friendly layout. Some of our updated features include the following:

- Updated and expanded information on the Board of Court Reporting and Court Reporting Training Council
- Members Benefits information for Court Reporters and Court Reporting Firms
- Easy to navigate drop down menus for court reporters, firms, and general public
- Updated directory information for certified, inactive, suspended, and revoked court reporters and court reporting firms.
- Access to the AOC customer portal, which provides online access to certified court reporters and firm owners that wish to update





## 2012-2013 Executive Committee

**Chair:**  
**Benjamin Perkins, Esq.**

**Vice-Chair:**  
**Carol Glazier, CCR**

**Member-at-Large:**  
**Judge Richard T. Kent**

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## 2012-2013 Standing Committees

**Certification**  
**Publicity**  
**Rules & Opinions**  
**Technology**

## Meet your 2012-2013 Board of Court Reporting Members

### Dennis Bull

Atlanta, GA  
Freelance Court Reporter  
July 2012 – June 2014

Freelance Court Reporter and co-owner of Bull Darity Hopson & Worley, LLC, a court reporting firm in Roswell. Mr. Bull has been a member of the court reporting profession for more than 43 years. During this time, he has served as a court reporter for the Circuit Court of Montgomery County in Silver Springs, Maryland, a legislative hearing reporter, a congressional reporter, and as a reporter in the US Army. Mr. Bull is a member of the Georgia Certified Court Reporter Association, the Federal Court Reporters Association, and an Affiliate Member of the Atlanta Bar Association.

### Stacey L. Folds

Panama, FL  
Official Court Reporter  
August 2011 – July 2013

Official Court Reporter for Chief Judge Joe C. Bishop and Judge Ronnie Joe Lane of the Pataula Judicial Circuit. She also serves as an official court reporter for Judge Richard L. Waters, Jr. State Court of Mitchell County. Ms. Folds began her career as a freelance court reporter and is the owner of AAA Reporting Service. She has been a member of the court reporting profession since 2001.

### Carol Glazier

Blairsville, GA  
Freelance Court Reporter  
August 2011 – July 2013

Official Court Reporter for the Enotah Judicial Circuit and a partner of Appalachian Court Reporting, a court reporting firm. Ms. Glazier has been a member of the court reporting profession for more than 30 years. She has served as president, treasurer, and general director of the Georgia Shorthand Reporters Association and is a member of the National Court Reporters Association.

### Cheryl Griffin

Albany, GA  
Attorney at Law  
August 2011 – July 2013

Cheryl Griffin is the Managing Attorney for the Albany Regional Office of the Georgia Legal Services Program. Ms. Griffin has served as Past President of the Dougherty and Palaula Judicial Circuit Bar Association. She received her J.D. from Mississippi College School of Law.

### Tina Harris

Mableton, Georgia  
Official Court Reporter  
August 2011 – July 2013

Official Court Reporter in the Atlanta Judicial Circuit. Ms. Harris has worked in Georgia superior and state courts as a freelance reporter for several years. Ms. Harris has served on the Executive Committee of the Court Reporters' Training Council of the Board of Court Reporting and is a member of the Georgia Shorthand Reporters Association.



## **Judge Richard Kent**

Moultrie, GA  
State Court Judge  
August 2011 – July 2013

The Honorable Richard Kent serves as the Colquitt County State Court Judge. The Honorable Richard Kent has served as Colquitt County State Court Judge since 1997. He also serves as a Municipal Court Judge. Judge Kent has also served as a Superior Court Judge by designation, Probate Court Judge by designation, and Magistrate Court Judge by designation. Judge Kent currently serves on the State Court Judges Executive Council, Municipal Court Judges Executive Council, and the County and Municipal Probation Advisory Council. Judge Kent received his J.D. from the University of Mississippi School of Law.

## **Anita Moore**

Eastanollee, GA  
Official Court Reporter  
July 2012 – June 2014

Official Court Reporter for Judge Russell W. Smith of the Mountain Judicial Circuit. Ms. Moore has studied at Anderson University and the University of Georgia Continuing Legal Education Division. She has been a certified court reporter in Georgia since 1987. Ms. Moore has worked in superior, state, and magistrate courts and as a freelance reporter and currently lives Eastanollee, Georgia.

## **Judge Maxine Cynthia Morris**

Dalton, GA  
Superior Court Judge  
July 2012 – June 2014

The Honorable Maxine Cynthia Morris has served in the Conasauga Judicial Circuit since 2002. She is a member of the National Association of Women Judges, the National Association of Counsel for Children, and the National Council of Juvenile and Family Court Judges. She has served on the Georgia Commission on Interpreters and the Board of Directors for the Georgia Association of Counsel for Children. Judge Morris received her J.D. from the Walter F. Georgia School of Law at Mercer University.

## **Benjamin M. Perkins**

Savannah, Georgia  
Attorney At Law  
July 2012 – June 2014

Benjamin M. Perkins is a Partner in the litigation section of the Savannah law firm Oliver Maner LLP. He is an active member of the State Bars of Georgia and Florida, and was named a Georgia Rising Star for 2006, 2007, 2009, and 2010 in the Georgia Super Lawyers edition of Atlanta Magazine and Law & Politics. Mr. Perkins serves on the Board for the Chatham County Domestic Relations Initiative, and is a member of the Out of State Practitioners' Division of the State Bar of Florida. Mr. Perkins received his J.D. from the University of Georgia School of Law.

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## **2012-2013 Standing Committees**

**Certification**  
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## Member Benefits - New Insurance Benefits Discount Program for Certified Court Reporters

**NEW** insurance and financial services for BCR certified Court Reporters through MemberBenefits.com, a division of BPC Financial. Now available:

Health Insurance Package – For Individuals and employer groups;  
Dental/Vision Insurance – Group rates for individuals;  
Long Term Care Insurance – premium discounts;  
Auto Insurance – premium discounts up to 15%;  
Pet Insurance – 5% premium discount through VPI; and so much more...

### This page:

- Member Benefits for court reporters and court reporting firm
- 2013 License Renewal and Annual Registration
- Important Dates

Visit **[www.memberbenefits.com/court-reporters](http://www.memberbenefits.com/court-reporters)** or call **1-800-282-8626** for more information. All of the above information is also available on our website <http://w2.georgiacourts.org/bcr/index.hp>.

*Products are sold and serviced by BPC Financial. BCR is not a licensed insurance entity and does not itself sell insurance. BCR does not solicit or endorse any product, each CCR should exercise independent judgment as to whether a product is appropriate to his or her needs.*

### 2013 Renewal Procedure - Verification of Lawful Presence

The Board of Court Reporting require all persons applying for licensure, firm registration, and renewal for 2013 to verify their lawful presence in the United States. The Board of Court Reporting will not issue any court reporter license, renewal certificate, emergency judicial permit, or firm registration without the verification of lawful presence documents.

Remember you must provide the following to renew in 2013:

- (1) A photo copy of one of the following documents:  
United States Drivers License, or  
United States passport or passport card, or  
United States Military ID
- (2) A signed and sworn affidavit verifying your lawful presence in the United States. The affidavit may be located at <http://w2.georgiacourts.org/bcr/index.php>.

### Important Dates to Remember!

**December 31, 2012** - Deadline to cure suspension status for non-payment of license renewal

**January 1, 2013** – Renewal period begins for Certified Court Reporters and Registered Court Reporting Firms



## Institute of Continuing Judicial Education - Website

Need information regarding your Continuing Education (CE) status? Or finding a preapproved class?

The Institute of Continuing Judicial Education (ICJE) website, <http://icje.uga.edu> provides court reporters with 24/7 access to CE status, preapproved course listings, CE Manual, and forms for requesting CE credit. Once you access the ICJE main page, simply select the "Court Reporters Training" tab and choose from one of the following listed options:

- Preapproved Courses – Lists all the available CE preapprovals, both live and correspondence courses, for the current year. New courses are always being added so check back frequently for your next CE opportunity.
- Court Reporter Information – Provides access to court reporter FAQ's, CE credit hour status, CE manual, and forms for certified court reporters. Court reporter CE hours are updated at the beginning of each month and twice in December.
- CE Provider Information – has information and forms for individuals/organizations seeking accreditation to provide CE training for Georgia court reporters.

Still have questions regarding your CE after checking the website?

Contact Christina Bazemore at ICJE, via email at [CRCE@ICJE.LAW.UGA.EDU](mailto:CRCE@ICJE.LAW.UGA.EDU). All email inquiries are reviewed Friday of every week.

### 2011 Complaint Statistics

<b>Total complaints received in 2011: 35</b>	<b>What were the complaints about?</b>
	-obtain copies of their transcript (14)
Who filed complaints?	-accuracy of transcript (8)
-Inmates (16)	-contracting issues (6)
-Attorneys (4)	-fee disputes (4)
-General public (Pro-se) (8)	-gifting (1)
-Court reporters (6)	-read and sign procedures (1)
-Board initiated complaint (1)	-transcript format (1)
Who were complaints filed against?	<b>Total number of answers by the board: 18</b>
-Court reporters (24)	
-Court reporting firms (11)	<b>Total hearings the board has voted hold in 2011: 2</b>
Total number of 2011 complaints dismissed or resolved: 28	

### This page:

- Continuing Education
- Complaint Statistics for 2011-2012



**2012  
Non-Compliance  
Data Statistics**

**2012 Complaint Statistics (as of August 15, 2012)**

<b>Total complaints received in 2012: 13</b>	<b>What were the complaints about?</b>
	-obtain copies of their transcript (9)
Who filed complaints?	-transcript errors (1)
-Inmates (9)	-accuracy of transcript (3)
-General public (Pro-se) (4)	
Who were complaints filed against?	<b>Total number of answers required by the board: 8</b>
-Court reporters (13)	
	<b>Total hearings the board has voted hold in 2012: 0</b>
<b>Total number of 2012 complaints dismissed or resolved: 1</b>	







## 2012 Wellness Challenge

**Go Team  
AOC!**

### 2012 Kaiser Permanente Corporate 5K Run/Walk

The Administrative Office of the Courts (AOC) is committed to increasing the awareness and importance concerning Physical Wellness. On September 13, 2012 the AOC and connected agencies throughout the Judicial Council of Georgia participated in the 2012 Kaiser Permanente Corporate 5K Run/Walk. The event was designed to promote health and fitness among the metro areas of Atlanta along with providing an opportunity to increase personal wellness and have fun while doing it.

Stay Connected with the Administrative Office of the Courts and Board of Court Reporting on Facebook and Twitter

